

## **SECTION 4 - ZONE REGULATIONS**

### **SINGLE FAMILY RESIDENTIAL DISTRICTS**

The following regulations shall apply to every building, structure, lot, and building site in the following zones and shall be subject to all of the general provisions of these regulations.

#### **ZONE A - SINGLE FAMILY RESIDENTIAL DISTRICT**

##### **1. PERMITTED USES:**

- a. One single family dwelling including a Residential -Design Manufactured Home and a Modular Home but not including a Manufactured Home or a Mobile Home as defined in Section 2.
- b. Accessory buildings and uses.
- c. Temporary buildings for use incident to construction and which shall be removed upon completion or abandonment of construction.
- d. Public parks, golf courses, playgrounds, swimming pools and public recreation buildings.
- e. Public, parochial or private schools, attendance at which satisfies the requirements of the compulsory laws of the State of Kansas.
- f. Churches, synagogues, temples and chapels.
- g. Parking facilities as required in Section 14 herein.
- h. Home Occupations as outlined in Section 19.
- i. Registered Family Day Care Home as defined in Section 2.
- j. Group Homes as defined in Section 2.

##### **2. CONDITIONAL USES:**

A site plan shall be prepared and submitted at the time of application, that includes the following:

1. The location of conditional use boundary lines and their relation to established property lines.

2. The location of all existing and proposed structures, trails and parking areas, salvage areas, etc., with approximated dimensions, labeled according to their use.
3. The name and address of the Applicant.
4. The True north point, scale and date.
5. Names of adjacent roads, streets or highways.
6. The location and size of any existing or proposed signs

The following uses shall be permitted only when granted as an exception by the Board of Zoning Appeals as provided in Section 20 herein.

- a. Private, non-profit clubs for golf, tennis, swimming, boating and similar activities; including a clubhouse and accessories, provided that the facilities are not open to the general public.
- b. Licensed Day Care Homes and Group Day Care Homes as defined in Section 2.
- c. Bed and Breakfasts as defined in Section 2.

### <sup>1</sup>3. TEMPORARY USES PERMITTED:

- a. Real estate offices (containing no sleeping or cooking accommodations unless located in a model dwelling unit) and model dwelling units used as real estate sales offices located in and incidental to a new housing development, for the purpose of making initial sales of lots within the said new housing development and to continue only until the sale of 90% of the lots within the new development or for one continuous period of 24 months commencing on the date of issuance of the building permit for said temporary real estate office, whichever first occurs.

### 4. USE LIMITATIONS:

Inoperable vehicles are defined as "unregistered and/or disassembled vehicles" and are not permitted but with the following exceptions:

- a. No restriction is placed on inoperable vehicles kept within a fully enclosed garage or accessory structure.

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<sup>1</sup>Applies to jurisdictional area of Manhattan Urban Area Planning Board only.

- b. No restriction is placed on inoperable vehicles which are screened from view from all sides. The Board of Zoning Appeals is hereby empowered to make determinations of adequate screening in accordance with Section 20 herein.
- c. No restriction is placed on motor vehicles which are inoperable for 14 days or less. Said vehicles shall not be inoperable for more than 21 days within any 90-day period.

Manufactured mobile homes may not be used for accessory buildings.

ZONE A -2 SINGLE FAMILY RESIDENTIAL DISTRICT:

1. PERMITTED USES:

- a. All permitted uses in Zone A -1.
- b. Manufactured Home on a permanent foundation but not including a Mobile Home as defined in Section 2.
- c. Licensed Day Care Homes and Group Day Care Homes as defined in Section 2.

2. CONDITIONAL USES:

A site plan shall be prepared and submitted at the time of application, that includes the following:

1. The location of conditional use boundary lines and their relation to established property lines.
2. The location of all existing and proposed structures, trails and parking areas, salvage areas, etc., with approximated dimensions, labeled according to their use.
3. The name and address of the Applicant.
4. The True north point, scale and date.
5. Names of adjacent roads, streets or highways.
6. The location and size of any existing or proposed signs

The following uses shall be permitted only when granted as an exception by the Board of Zoning Appeals as provided in Section 20 herein.

- a. All conditional uses in Zone A -1 except Licensed Day Care Homes and Group Day Care Homes as defined in Section 2.
- b. Child Care Center/Preschool as defined in Section 2.

<sup>1</sup>3. TEMPORARY USES PERMITTED:

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<sup>1</sup>Applies to jurisdictional area of Manhattan Urban Area Planning Board only.

- a. Real estate offices (containing no sleeping or cooking accommodations unless located in a model dwelling unit) and model dwelling units used as real estate sales offices located in and incidental to a new housing development, for the purpose of making initial sales of lots within the said new housing development and to continue only until the sale of 90% of the lots within the new development or for one continuous period of 24 months commencing on the date of issuance of the building permit for said temporary real estate office, whichever first occurs.

4. USE LIMITATIONS:

Inoperable vehicles are defined as "unregistered and/or disassembled vehicles" and are not permitted but with the following exceptions:

- a. No restriction is placed on inoperable vehicles kept within a fully enclosed garage or accessory structure.
- b. No restriction is placed on inoperable vehicles which are screened from view from all sides. The Board of Zoning Appeals is hereby empowered to make determinations of adequate screening in accordance with Section 20 herein.
- c. No restriction is placed on motor vehicles which are inoperable for 14 days or less. Said vehicles shall not be inoperable for more than 21 days within any 90-day period.

Manufactured or mobile homes may not be used for accessory buildings.

ZONE A -3 SINGLE FAMILY RESIDENTIAL DISTRICT:

1. PERMITTED USES:

- a. All permitted uses in Zone A -2.
- b. Child Care Center/Preschool as defined in Section 2.
- c. Mobile Homes set on a permanent foundation.

2. CONDITIONAL USES:

A site plan shall be prepared and submitted at the time of application, that includes the following:

1. The location of conditional use boundary lines and their relation to established property lines.
2. The location of all existing and proposed structures, trails and parking areas, salvage areas, etc., with approximated dimensions, labeled according to their use.
3. The name and address of the Applicant.
4. The True North point, scale and date.
5. Names of adjacent roads, streets or highways.
6. The location and size of any existing or proposed signs

The following uses shall be permitted only when granted as an exception by the Board of Zoning Appeals as provided in Section 20 herein.

- a. All conditional uses in Zone A -2.

3. TEMPORARY USES PERMITTED:

- a. Real estate offices (containing no sleeping or cooking accommodations unless located in a model dwelling unit) and model dwelling units used as real estate sales offices located in and incidental to a new housing development, for the purpose of making initial sales of lots within the said new housing development and to continue only until the sale of 90% of the lots within the new development or for one continuous period of 24 months commencing on the date of issuance of the building permit for said temporary real estate office, whichever first occurs.

4. USE LIMITATIONS:

Inoperable vehicles are defined as "unregistered and/or disassembled vehicles" and are not permitted but with the following exceptions:

- a. No restriction is placed on inoperable vehicles kept within a fully enclosed garage or accessory structure.
- b. No restriction is placed on inoperable vehicles which are screened from view from all sides. The Board of Zoning Appeals is hereby empowered to make determinations of adequate screening in accordance with Section 20 herein.
- c. No restriction is placed on motor vehicles which are inoperable for 14 days or less. Said vehicles shall not be inoperable for more than 21 days within any 90-day period.

Manufactured or mobile homes may not be used for accessory buildings.

ZONE A -4 SINGLE FAMILY RESIDENTIAL DISTRICT:

1. PERMITTED USES:

- a. All uses permitted in Zone A -3.
- b. The keeping, feeding and maintenance of stock animals such as horses, cows, pigs, sheep, or goats with a limit of one animal per acre. Fractional acres containing .75 acre or more shall constitute a full acre.
- c. The keeping, feeding and maintenance of poultry, rabbits, chinchillas, guinea pigs, etc., for non-profit purposes only.

2. CONDITIONAL USES:

A site plan shall be prepared and submitted at the time of application, that includes the following:

1. The location of conditional use boundary lines and their relation to established property lines.
2. The location of all existing and proposed structures, trails and parking areas, salvage areas, etc., with approximated dimensions, labeled according to their use.
3. The name and address of the Applicant.
4. The True north point, scale and date.
5. Names of adjacent roads, streets or highways.
6. The location and size of any existing or proposed signs

The following uses shall be permitted only when granted as an exception by the Board of Zoning Appeals as provided in Section 20 herein.

- a. All conditional uses in Zone A -3.

3. USE LIMITATIONS:

- a. Animals other than household pets shall not be kept within a dwelling or within 20 feet of a dwelling or within 60 feet of the front property line of the building site. Housing and caging of animals shall be adequate and in accordance with the requirements of the County or State Sanitary Code.



- b. Inoperable vehicles are defined as "unregistered and/or disassembled vehicles" and are not permitted but with the following exceptions:
  - 1. No restriction is placed on inoperable vehicles kept within a fully enclosed garage or accessory structure.
  - 2. No restriction is placed on inoperable vehicles which are screened from view from all sides. The Board of Zoning Appeals is hereby empowered to make determinations of adequate screening in accordance with Section 20 herein.
  - 3. No restriction is placed on motor vehicles which are inoperable for 14 days or less. Said vehicles shall not be inoperable for more than 21 days within any 90-day period.
- b. Manufactured mobile homes may not be used for accessory buildings.

#### 4. TEMPORARY USES PERMITTED:

- a. Real estate offices (containing no sleeping or cooking accommodations unless located in a model dwelling unit) and model dwelling units used as real estate sales offices located in and incidental to a new housing development, for the purpose of making initial sales of lots within the said new housing development and to continue only until the sale of 90% of the lots within the new development or for one continuous period of 24 months commencing on the date of issuance of the building permit for said temporary real estate office, whichever first occurs.

ZONE A -5 SINGLE FAMILY RESIDENTIAL DISTRICT:

1. PERMITTED USES:

- a. All uses permitted in Zone A -1.
- b. The keeping, feeding, and maintenance of stock animals such as horses, cows, pigs, sheep, or goats with a limit of one animal per acre. Fractional acres containing .75 acre or more shall constitute a full acre.
- c. The keeping, feeding and maintenance of poultry, rabbits, chinchillas, guinea pigs, etc., for non-profit purposes only.

2. CONDITIONAL USES:

A site plan shall be prepared and submitted at the time of application, that includes the following:

1. The location of conditional use boundary lines and their relation to established property lines.
2. The location of all existing and proposed structures, trails and parking areas, salvage areas, etc., with approximated dimensions, labeled according to their use.
3. The name and address of the Applicant.
4. The True north point, scale and date.
5. Names of adjacent roads, streets or highways.
6. The location and size of any existing or proposed signs

The following uses shall be permitted only when granted as an exception by the Board of Zoning Appeals as provided in Section 20 herein.

- a. All conditional uses in Zone A -1.

3. USE LIMITATIONS:

- a. Animals other than household pets shall not be kept within a dwelling or within 20 feet of a dwelling or within 60 feet of the front property line of the building site. Housing and caging of animals shall be adequate and in accordance with the requirements of the County or State Sanitary Code.

- b. Inoperable vehicles are defined as "unregistered and/or disassembled vehicles" and are not permitted but with the following exceptions:
  - 1. No restriction is placed on inoperable vehicles kept within a fully enclosed garage or accessory structure.
  - 2. No restriction is placed on inoperable vehicles which are screened from view from all sides. The Board of Zoning Appeals is hereby empowered to make determinations of adequate screening in accordance with Section 20 herein.
  - 3. No restriction is placed on motor vehicles which are inoperable for 14 days or less. Said vehicles shall not be inoperable for more than 21 days within any 90-day period.
- c. Manufactured or mobile homes may not be used for accessory buildings.

4. TEMPORARY USES PERMITTED:

- a. Real estate offices (containing no sleeping or cooking accommodations unless located in a model dwelling unit) and model dwelling units used as real estate sales offices located in and incidental to a new housing development, for the purpose of making initial sales of lots within the said new housing development and to continue only until the sale of 90% of the lots within the new development or for one continuous period of 24 months commencing on the date of issuance of the building permit for said temporary real estate office, whichever first occurs.

ZONE A -1, A -2, A -3, A -4 and A -5 DENSITY REQUIREMENTS:

1. Minimum Lot Area for a single-family dwelling served by a central sewerage system:

Zone A -1 = 10,000 square feet

Zone A -2 and A -3 = 6,500 square feet

Zone A -4 and A -5 = 2 acres

2. Minimum Lot Area for a single dwelling served by an individual on-site sewerage system shall be as specified below unless otherwise required by County Sanitary Code:

Septic tank/lateral field system:

Zone A -1, A -2, and A -3 = 1/2 acre (21,780 sq. ft.)

Zone A -4 and A -5 = 2 acres

Waste stabilization pond system:

All zones = 3 acres

3. Minimum Lot Area for other uses except Mobile Home Park unless otherwise required by County Sanitary Code:

Zone A -1, A -2 and A -3 = 10,000 square feet

Zone A -4 = 21,780 square feet

Zone A -5 = 2 acres

4. Minimum Lot Width for single family dwelling (measured at a point no less than 25 feet from and beyond the adjacent road right-of-way):

Zone A -1 = 75 feet

Zone A -2 = 50 feet

Zone A -4, A -5 = 100 feet with the exception that all lots fronting on cul-de-sacs for over 50% of their lot width may be 75 feet.

5. Minimum Lot Width for other uses except Mobile Home Parks:

Zone A -1, A -2, A -3 and A -4 = 75 feet

Zone A -5 = 100 feet (measured at a point 25 feet from and beyond the adjacent right-of-way)

6. Maximum Building Height:

Zone A -1, A -2, A -3 and A -4

Dwellings=35 feet or 2 1/2 stories

Other Uses=35 feet

Zone A -5=35 feet

7. Minimum Principal Building Width (applies to principal portion of structure and does not include attached garages, porches, extensions, etc.):

Zone A -1, A -5=22 feet

Zone A -2=16 feet

Zone A -3, A -4=No minimum

8. Minimum Front Yard Depth:

Zone A -1, A -2, A -3, A -4 and A -5=25% of lot depth, but need not exceed 25 feet; on all sides abutting a street except that:

- (1) for any structure in which livestock is kept, the depth shall be 70 feet (Zones A -4 and A -5 only)

9. Minimum Side Yard on both sides of lot:

Zones A -1, A -2, A -3, A -4 and A -5:

Dwellings=10% of lot width, but need not exceed 10 feet

Accessory Buildings=3 feet except that:

- (1) accessory buildings shall be at least 10 feet away from a principal building on own or adjoining lot; and
- (2) for any structure in which livestock is kept (Zones A -4 and A -5 only), the minimum side yard shall be 30 feet.

10. MinimumRearYard:

Zones A -1, A -2, A -3, A -4 and A -5:

Dwellings=30% of lot depth, but need not exceed 25 feet

Accessory Buildings=5 feet except that:

- (1) when abutting an alley the minimum rear yard shall be 10 feet; and
- (2) for any structure in which livestock is kept (Zones A -4 and A -5 only) the minimum rear yard shall be 30 feet.

11. MinimumLotDepth:

Zone A -4 and A -5 = 150 feet (measured as the greatest distance between the adjacent road right-of-way and any point perpendicular to any portion of the road right-of-way)